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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,927	04/12/2004	Junya Maruyama	07977-297002 / US5492D1	2114
26171 7590 01/26/2007 FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER WHITE, JUAN C	
			ART UNIT	PAPER NUMBER
			2822	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/26/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/821,927

Applicant(s)

MARUYAMA ET AL.

Examiner

Juan White

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 49-78 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 69-78 is/are allowed.
- 6) ☒ Claim(s) 49-68 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Detailed Action***

This Office Action is in response to the application filed April 12, 2004

***Claim Objections***

***Claim Rejections – 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 49-52, 54-57, 59-62 and 64-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ebisawa et al. (US 6, 284, 342 B1) in view of Al-Dahoudi et al. (Transparent conduction, anti-static and anti-static-anti-glare coatings on plastic substrates, Thin Solid Films 392 pg. 299-304, 2001).

In re claims 49-51 and 54-56, Ebisawa et al. teach a display panel (display assembly) in column 1 line 3. Ebisawa et al. further teach in Fig. 1 a display panel comprising a first substrate (1); an organic light emitting element over the first substrate (4); and a second substrate (sealing member) (3) which is translucent, the second substrate is bonded to the first substrate through a layer having adhesion.

Ebisawa et al. do not teach a minute unevennesses are formed on a surface of the second substrate.

Al-Dahoudi et al teach on page 303 and anti-glare coating with a height variation (minute unevenness) and a height of the variation, of  $\pm 0.4$  micrometer and the spacing between convex portions of the minute unevennesses is 0.2 micrometer.

In Fig. 11, Al-Dahoudi et al show the optical effect of such coatings reduces the problem of glare of an object placed in front of the substrate coated with such substance. Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine the limitations taught in Al-Dahoudi et al with the limitations taught in Ebisawa et al. to reduce the problem of glare, i.e. reflections at the surface.

In addition, in regards to the numerical limitations, the subject matter as a whole would have been obvious to one of ordinary skill in the art at the time the invention was made to select the portion of the prior art's range of variation and spacing, as taught by Al-Dahoudi et al which is within the range of applicant's claims, because it has been held to be obvious to select a value in a known range by optimization for the best results, and would be an unpatentable modification, where the general conditions of a claim are disclosed in the prior art, it is not inventive to discover the optimum or workable ranges by routine experimentation". *In Re Aller* 104 USPQ 233,255 (CCPA 1955); *In re Waite* 77 USPQ 586 (CCPA 1948); *In Re Swanson* 56 USPQ 372 (CCPA 1942); *In Re Sola* 25 USPQ 433 (CCPA 1935); and *In Re Dreyfus* 24 USPQ 52 (CCPA 1934).

In re claims 52 and 57, in addition to the elements cited above with respect to claim 49 and 54, in column 13, line 65, Ebisawa et al. teach that the light emitting device was fabricated on a glass substrate; and in column 4 lines 32-34, Ebisawa et al. further teach that the second

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substrate (seal plate) can be made of such material as glass with glass being preferred. The claims are rejected based on the reason given in the prior rejection of claims 49 and 54.

In re claims 59-61 and 64-66, in addition to the elements cited above with respect to claim 49 and 54, Ebisawa et al. disclose in Fig. 1 wherein a surface of the second substrate opposing the first substrate comprises a first thickness at a first region (extensions of sealing member (3)) and a second thickness at a second region (the middle of the sealing member (3)), the first region is adhered with the layer having adhesion, and the second region is located inside the first region and concaved relative to the first region. The claims are rejected based on the reason given in the prior rejection of claims 49 and 54.

In re claims 62 and 67, in addition to the elements cited above with respect to claim 59 and 64, in column 13, line 65, Ebisawa et al. teach that the light emitting device was fabricated on a glass substrate and in column 4 lines 32-34, Ebisawa et al. further teach that the second substrate (seal plate) can be made of such material as glass with glass being preferred. The claims are rejected based on the reason given in the prior rejection of claims 49 and 54.

Claims 53, 58, 63 and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ebisawa et al. (US 6, 284, 342 B1) in view of Al-Dahoudi et al. (Transparent conduction, anti-static and anti-static-anti-glare coatings on plastic substrates, Thin Solid Films 392 pg. 299-304, 2001) in further view of Burns (5,783,464).

In re claims 53, and 63, Ebisawa et al. and Fujimoto disclose all of the features of claims 49 and 54.

Ebisawa et al. and Fujimoto do not disclose a thickness of the layer having adhesion is 10 micrometers or less.

Burns teaches in column 4, lines 22-23 a layer having adhesion, i.e. a thin adhesive, with a thickness of 0.3 mils-- 7.6 micrometers.

The subject matter as a whole would have been obvious to one of ordinary skill in the art at the time the invention was made to select the portion of the prior art's range of variation and spacing, as taught by Al-Dahoudi et al which is within the range of applicant's claims, because it has been held to be obvious to select a value in a known range by optimization for the best results, and would be an unpatentable modification, where the general conditions of a claim are disclosed in the prior art, it is not inventive to discover the optimum or workable ranges by routine experimentation". *In Re Aller* 104 USPQ 233,255 (CCPA 1955); *In re Waite* 77 USPQ 586 (CCPA 1948); *In Re Swanson* 56 USPQ 372 (CCPA 1942); *In Re Sola* 25 USPQ 433 (CCPA 1935); and *In Re Dreyfus* 24 USPQ 52 (CCPA 1934).

In re claims 63, and 68, Ebisawa et al. and Fujimoto disclose all of the features of claims 59 and 64.

Ebisawa et al. and Fujimoto do not disclose a thickness of the layer having adhesion is 10 micrometers or less.

Burns teaches in column 4, lines 22-23 a layer having adhesion, i.e. a thin adhesive, with a thickness of 0.3 mils-- ~7.6 micrometers.

The subject matter as a whole would have been obvious to one of ordinary skill in the art at the time the invention was made to select the portion of the prior art's range of variation and spacing, as taught by Al-Dahoudi et al which is within the range of applicant's claims, because it

has been held to be obvious to select a value in a known range by optimization for the best results, and would be an unpatentable modification, where the general conditions of a claim are disclosed in the prior art, it is not inventive to discover the optimum or workable ranges by routine experimentation". *In Re Aller* 104 USPQ 233,255 (CCPA 1955); *In re Waite* 77 USPQ 586 (CCPA 1948); *In Re Swanson* 56 USPQ 372 (CCPA 1942); *In Re Sola* 25 USPQ 433 (CCPA 1935); and *In Re Dreyfus* 24 USPQ 52 (CCPA 1934).

### ***Allowable Subject Matter***

Claims 69 and 74 are allowable.

The following is examiner's statement of reason for allowance:

In re claims 69 and 74, Ebisawa et al. teach a display panel (display assembly) column 1 line 3. Ebisawa et al. further teach in Fig. 1 a display panel comprising a first substrate (1); an organic light emitting element over the first substrate (4); a second substrate (sealing member) (3) which is translucent, the second substrate is bonded to the first substrate through a layer having adhesion; a surface of the second substrate opposing the first substrate comprises a first region, and a second region, the first region is adhered with the layer having adhesion, the second region is located inside the first region and concaved relative to the first region.

Ebisawa et al. do not teach a minute unevennesses formed on a surface of the second substrate; and a third region that is located inside the second region and concaved relative to the second region, and wherein a dry agent is provided in the third region.

Al-Dahoudi et al teach on page 303 and anti-glare coating with a height of the minute unevennesses, i.e. a height variation.

Al-Dahoudi et al do not teach a third region that is located inside the second region and concaved relative to the second region, and wherein a dry agent is provided in the third region. No motivation to alter the reference to achieve the claimed invention was found in the prior art or was known by one of ordinary skill in the art at the time of the invention.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Juan White whose telephone number is 571-270-1232. The examiner can normally be reached on 7:30 - 5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zandra Smith can be reached on 571-272-2429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*M.T.*  
Michael Trinh  
Primary Examiner  
1/22/07




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JW

January 19, 2007

  
Michael Trinh  
Primary Examiner  
1/22/07